



CONSERVATORS OF THE RIVER CAM

Navigation authority for the River Cam, between Cambridge and Bottisham Lock

MINUTES OF A MEETING OF THE CONSERVATORS HELD ON MICROSOFT TEAMS ON THURSDAY 28th OCTOBER 2021 at 9:30AM.

1. Welcome and Apologies

In Attendance:

Conservators: Ms Catherine Hurst (Chair); Mr Clive Brown; Mr Giles Greenfield; Ms Ceridwen Salisbury; Cllr Mike Sargeant; Mr Tony Wieser; Cllr Alan Cox; Cllr Katie Thornburrow (arrived at 9:55am), Cllr Anna Bradnam.

Absent: Dr D Munday

Apologies received: Mr Steven Morris, Dr May Block, Mr Paul Separovic, Ms Cath Lindon

Officers: Mrs Helen Cleary (CEO); Mr Tom Larnach (Control Officer & Clerk); Mrs Pearl Gonsalves (Licence & Finance Officer)

Members of the Public: Observers: Mr James Martin; Mr Bill Key; Mr Rod Ingersent; Mr James Macnaghten.

The Chair congratulated Mrs Helen Cleary on her new role as Chief Executive Officer and wished Mr Tom Larnach best wishes in his new venture with River and Rural.

The Chair informed the Board that Mr Edwin Buttfield (member of GOBA) has stepped down as an observer and had proposed that Mr Rodger Tellis (GOBA representative) replace him

Unanimously agreed that Mr Rodger Tellis be appointed an Observer

2. Minutes of the meeting held on 29th July 2021

The Chair asked Conservators whether they had any comments on the accuracy of the minutes of the meeting on the 29th July 2021. No comments were received.

It was agreed that the minutes were a true and accurate record of the Conservators' meeting on 29th July 2021.

3. Matters Arising

There were no matters arising

4. Delegation of Powers

It was proposed by the Chair that the powers delegated to the River Manager as Clerk and Control Officer, as recorded in the minutes of the meeting of 28th January 2021, should continue to apply as powers delegated to Mr Tom Larnach in his capacity as Clerk and Control Officer and to Mrs Helen Cleary in her capacity as Chief Executive Officer.

Votes in favour: Unanimous

5. General Purposes Committee:

The Chair informed Conservators that Dr David Munday had resigned from the General Purposes Committee due to work commitments. Mr Giles Greenfield was nominated and accepted to become a member of the General Purposes Committee.

Conservators were requested to appoint of Mr Giles Greenfield to the General Purposes Committee in place of Dr David Munday.

Votes in favour: Unanimous

6. Reports:

6.1: Report by Chair: The Chair brought her report forward as most items introduced by the Chair would be discussed in more detail in subsequent reports.

Intense work was carried out throughout the summer by the GPC, Regulatory Committee and the Board to negotiate agreements with River and Rural and the two navigation officers.

The audit for 2020/21 was successful and the auditors were satisfied with the Conservancy's financial forecast.

Huge thanks were extended to Mr Clive Brown who had assisted in getting the contracts in place. Thanks were also extended to Mr Steven Morris who had assisted with matters relating to investments. The Chair also thanked Mrs Helen Cleary who has taken on a new role since the decisions were taken in May this year, and who had assisted in matters relating to the business reorganisation, especially changes in the roles of existing personnel, and the proposed employment of a Clerk and Patrol Officer.

Ms Victoria Veblauskaite had been recruited as an additional Licensing and Finance Officer. The Chair welcomed Ms Veblauskaite to the Cam Conservancy team.

A thorough tree survey had been undertaken in which each tree on the Haling Way had been individually assessed. The Conservancy is responsible for over 800 trees. There are numbers stapled to the trunks of the trees to identify them and to indicate that they have been assessed. The GPC will consider what actions are required.

The Regulatory Committee was engaged in a public consultation on the registration fee structure and future fee increases. This had been launched in August and closed on 25th of October. Huge thanks go to Mr Greenfield, Ms Salisbury, Mr Larnach for implementing this.

The Chair thanked Mr Larnach for his past service to the Conservators, and wished him all the very best with his new company River and Rural. A huge thank you was extended to Mr Colin Sparkes and Mr Ralph Honey for their many years of service with the Conservancy.

6.2 Finance and Licencing Report

Mrs Cleary said that a general overview of second quarter was good. The last instalment payments were due in January 2022 which is when the total income from commercial operators would be known. There were about ten regular non payers who were non-compliant annually. These cases would be taken to the Regulatory Committee for further discussion and action. All Clubs and Colleges were now registered. Commercial operators were paying registration fees in four instalments. There had been no default in instalment payments. The fees from the commercial operators had increased significantly this year as a result of COVID restrictions being lifted.

The Conservancy was moving successfully forward with regard to income. It was anticipated that the budget for licensing income this year would be exceeded once payments have been completed in January 2022. New applications under Section 15 had been received. Pontoon fees were received in instalments which would be complete in January 2022. Additional income from the works carried out at Salters Lode had been received this year. The Conservancy was yet to receive income from the County Council for the permissive path agreement.

There would be adjustments to insurance policies and premium payments as a consequence of the Conservancy's contract with River and Rural. Once the insurance premiums have been adjusted, the budget will be revised in the next quarter.

Mrs Cleary further stated that there had been an increase in legal fees. This was due to the changes taking place within the Conservancy and particularly the drafting and negotiation of agreements with River and Rural.

The fees for the Berky refurbishment had now been paid in full.

Cllr Bradnam asked, with regard to historic debts, whether the debtors could be given unskilled tasks on the towpath in satisfaction of the debts they owed. She also asked whether Cambridge County Council needed to be chased with regard to the annual payment of £8000 for the maintenance of the Haling Way, and offered to assist. Mr Brown said that the completion of the various agreements with the County Council was in hand, and that payment of the amount due from the Cambridgeshire County Council would be made on completion. Mrs Cleary said that there were several classes of historic debtor. One goes back as far as 2016. Others have certain aspects of registration missing. Other debtors will not engage and are repeatedly non-compliant. Debt that predates the current year can be referred to debt collectors and pursued through civil proceedings. Current year debtors, and unregistered vessels may be prosecuted.

Mrs Cleary further stated that for the debtors to undertake work on the river would require insurance and health and safety policies to be put in place. This would incur additional costs. All river users must be registered in accordance with the byelaws, otherwise they will be committing a criminal offense.

6.3 Report on Business Planning

Mr Macnaghten asked about the pension fund liability and whether, with the exit of the remaining employees in the old fund, the pension fund deficit would crystallise, and whether it would have to be paid in a lump sum. Mr Brown replied that with the exit of the navigation staff, the pension fund terminated and crystallised the deficit. There had been discussions with officers of the pension fund about paying the deficit in instalments, and an application had been made to this end, which it was hoped would be considered by the pension fund committee in December, It was therefore hoped that it would be possible to spread the repayment over a number of years. This would be a final closure of the Conservators' liability to the pension fund.

Mr Brown stated that Professor Keith Richards had produced a very comprehensive draft plan to the Business Planning working Group (BPWG) before he retired in December 2020. This, however, left the outsourcing decision as an open issue. The question of outsourcing had been the subject of enormous debate and intense discussions, and it was considered that a decision on this, and the consequent restructuring of the Conservancy had to be dealt with before a comprehensive business plan could be drafted. A decision had subsequently been taken to outsource river maintenance. This decision had been implemented and agreements entered into with River and Rural. One was a service agreement, which detailed the services that River and Rural are required to undertake. This is a 20 year agreement with break clauses, The Conservancy also has a lease agreement with River and Rural in terms of which the workshop and the yard are leased to the Company. River and Rural will use the existing tools and equipment, including work vessels that belong to the Conservancy. Major repair works will remain the financial responsibility of the Conservancy.

There had also been a structural change within the Conservancy. Mrs Helen Cleary been appointed as Chief Executive Officer. Mrs Pearl Gonsalves and Ms Victoria Veblauskaite filled the new roles of Licensing and Finance Officers. It was intended that the Conservancy would also recruit a Patrol Officer (who would also be the Control Officer) and a part time Clerk. Job descriptions for both roles were being drafted. Mr Brown said that it was necessary for the agreement with River and Rural to be in place before the new roles of Patrol Officer and Clerk could be made public. A six month consultancy had also been agreed with Mr Tom Larnach, during which he will continue to act as Clerk and Control Officer, to ensure a smooth transition.

Mr Macnaghten asked whether the Conservators would disclose the terms of the Service and Lease Agreements entered into with River and Rural so that it was possible to better understand what had been agreed. Mr Brown stated that these were commercially confidential agreements, and their contents would not be disclosed. The Chair confirmed that both the Lease and Service agreements were confidential. The Chair also stated that the agreements were between River and Rural and the Conservancy, and therefore only Conservators were entitled to this information.

6.4 Report on Haling Way, Ditch Clearance and Tree Management

Mrs Cleary reported that some of the trees on the towpath are very old, varying from a life span of eighty to a hundred years old. Due to financial constraints the Conservancy did not presently have a tree maintenance programme in place. A tree survey had been carried out, and it had been found that some the trees needed to be felled. A large number of other trees need pollarding. The tree survey would be considered by the General Purposes Committee with officers' proposals for action to be taken. Proposed works on the ditch will also be considered by the General Purposes Committee.

6.5 Report on the Public Consultation on Registration fees

Mr Larnach said that the public consultation had ended on 25th of October and 63 responses had been received. He referred to the paper circulated to the Board. A detailed report on the consultation would be made to the Regulatory Committee which was due to meet on the 18th of November.

Mr Macnaghten informed the Board that a letter had been sent to the Conservancy via email maintaining that the registration fee structure was unreasonable, unfair and potentially unlawful. He requested that the letter be sent to all members of the Board.

7. Dates of future meetings:

27 th January 2022	9:30 am
28 th April 2022	9:30 am
28 th July 2022	9:30 am
27 th October 2022	9:30 am

The venue for all the above meetings is to be confirmed.

8. Any Other Business

Cllr Thornburrow reported that the concrete wall on the bank by pump out facility at Jesus Green was unstable, and that on the other side, at Jubilee Gardens, there were bolts projecting out which had damaged some boats.

The Chair stated that this was an ongoing issue and had been reported on many occasions to Cambridge City Council who were responsible for the maintenance of both banks. The Council claimed that there were subsidence and drainage issues arising from the swimming pool and areas near Jesus Green, which was the cause of the wall collapsing. The Cambridge City Council was the riparian owner and was responsible for maintenance of the banks along Jesus Green

Cllr Bradnam suggested that a letter be written on behalf of the Conservancy to the City Council expressing concerns about the safety of the banks.

Ms Wynne expressed concerns about the quantity of oil leaking directly into the river over the summer. Mr Larnach echoed Ms Wynne's concerns, but stated that the Conservancy does not

CONSERVATORS OF THE RIVER CAM
Minutes of Quarterly Board Meeting held on 28th October 2021

have jurisdiction over pollution on the river. He said that pollution should be reported to the Environment Agency Incident Hotline. Incident reports are logged and a team is sent out to investigate and for further action to be taken.

Mr Martin asked when the five year business plan will be produced. Mr Brown stated that Business Plan working group hoped to produce a report by the end of this year.

Mr Larnach reported as follows on the progress of ongoing Section 15 licences on the river:

Cambridge County Council (Haling Way): Mr Larnach is waiting for confirmation of the date of completion of works.

Magdalene College: An application for works to be done has been submitted. This works involve significant repair to the College wall. This work is due to commence on 6th of December for a duration of approximately 10 days. There will be diving operations, and some restrictions to navigation on the river will be involved. The licence to do the works will contain a provision requiring the contractors to inform punt operators and canoe clubs when the restrictions will be in place.

Trinity Bridge: Works lasting 20 week have been proposed, commencing on 4th January 2022. More details will follow.

Anglian Waterways: An easement may be required as there is a proposal to install a rising main in Fen Ditton, which will involve tunnelling under the River Cam.

The Meeting ended at 10:55 am.